



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

BAN  
Docket No: 01800-08  
14 October 2008



This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 October 2008. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 24 August 1989. You served without disciplinary incident until 31 July 1990, when you were charged and found guilty at a special court-martial for an unauthorized absence (UA), missing ship's movement, and violating general orders (seven specifications).

In addition, you had the following NJP's: on 19 October 1990, dereliction of duty, on 23 August 1991, UA, on 26 August 1991, wrongfully possessing alcohol aboard a ship, and larceny.

You were notified of your processing for administrative separation due to your pattern of misconduct. You were advised of your rights and elected not to consult with counsel. On 17 September 1991, you were recommended for an other than honorable (OTH) discharge. On 17 October 1991, the separation authority approved these recommendations and directed an OTH discharge with

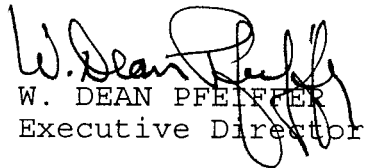
an RE-4 reenlistment code, and on 24 October 1991, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your misconduct. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

  
W. DEAN PFEIFFER  
Executive Director